

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF OKLAHOMA**

ROBERT KING,

Plaintiff,

v.

ELI LILLY AND COMPANY,

Defendant.

Case No. 6:23-cv-00406-DES

**JOINT MOTION FOR EXTENSION OF TIME FOR  
DEFENDANT TO FILE A RESPONSIVE PLEADING**

Pursuant to LCvR 7.1(i) and the stipulation between the parties, Plaintiff Robert King, (“Plaintiff”) and Defendant Eli Lilly and Company (“Lilly”) hereby move for a stay of Lilly’s responsive pleading deadline pending a ruling on transfer by the Judicial Panel on Multidistrict Litigation (“J.P.M.L.”). In support of this Motion, the Parties state as follows:

1. On December 1, 2023, an initial motion for transfer was filed before the J.P.M.L. in the case captioned *In re: GLP-1 Receptor Agonist Cases*, MDL No. 3094 (J.P.M.L. Dec. 1, 2023), ECF No. 1.
2. On December 18, 2023, Plaintiff filed a Notice of Potential Tag-Along Actions on the docket for MDL No. 3094; the notice identified this case as a potential tag-along action for MDL No. 3094. *In re: GLP-1 Receptor Agonist Cases*, MDL No. 3094 (J.P.M.L. Dec. 18, 2023), ECF No. 13.
3. On December 21, 2023, Plaintiff served Lilly with summons for this case [Dkt. 11]. By rule, Lilly’s responsive pleading deadline in this case is January 11, 2024. Fed. R. Civ. P. 12(a)(1)(A)(i). Therefore, this Motion is filed prior to the expiration of Lilly’s responsive pleading deadline.

4. Briefing on the initial motion to transfer filed in MDL No. 3094 is ongoing. The J.P.M.L. has set oral argument for the motion on January 25, 2024 in Santa Barbara, California. *In re: GLP-1 Receptor Agonist Cases*, MDL No. 3094 (J.P.M.L. Dec. 15, 2023), ECF No. 8.

5. Counsel for Plaintiff and counsel for Lilly have conferred and agree that Lilly's responsive pleading deadline in this case should be stayed pending the J.P.M.L.'s decision on the initial motion to transfer in MDL No. 3094, as the J.P.M.L.'s decision could result in transfer of this case.

6. Counsel have further agreed that if the J.P.M.L. does not transfer this action, Lilly's responsive pleading deadline shall be 30 days after the date of the J.P.M.L.'s order declining to transfer this case.

7. This is Plaintiff and Lilly's first request for an extension of time in this matter and the request does not affect the trial or any other deadlines.

WHEREFORE, Plaintiff and Lilly respectfully request the Court enter an order staying Lilly's deadline to answer or otherwise respond to Plaintiff's Complaint pending the J.P.M.L.'s ruling on the initial motion to transfer and further seek an additional 30 days to respond in the event the J.P.M.L. declines to transfer the case.

Submitted this 9th day of January 2024.

Respectfully submitted,

/s/ Stacy K. Hauer

Stacy K. Hauer, Esq., Admitted *Pro Hac*  
*Vice*

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***COUNSEL FOR DEFENDANT ELI  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this 9<sup>th</sup> day of January, 2024, the foregoing was served by CM/ECF to all parties of record.

Respectfully submitted,

/s/ J. Craig Buchan